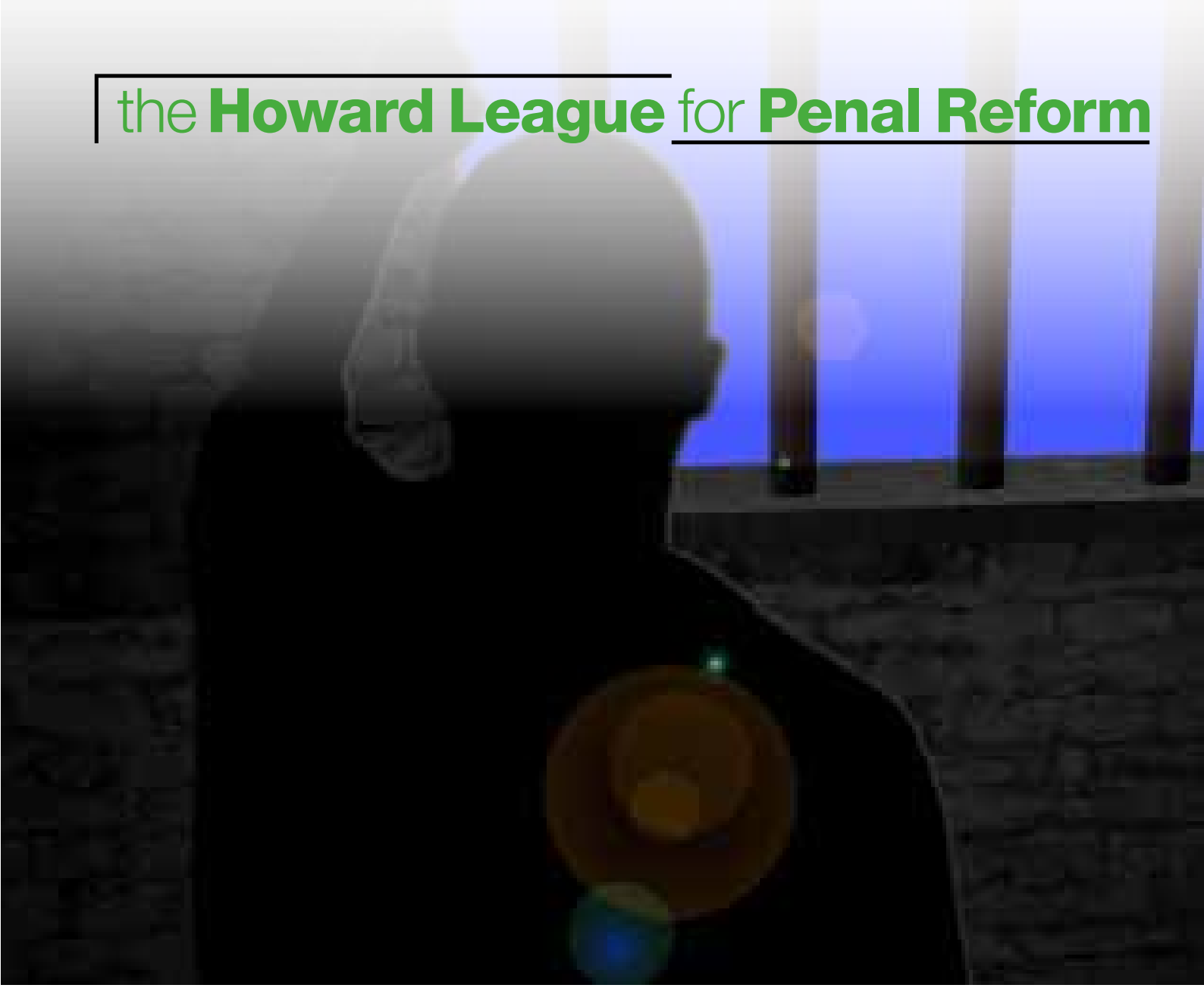
the **Howard League** for **Penal Reform**



Life inside 2010

A unique insight into the day to day experiences of 15-17 year old males in prison

LOTTERY FUNDED

Hope

There is no hope

There is no cloud with a silver lining

There is no ray of sun

Hoping is a waste of time

Hoping is for the deaf and blind

There is no hope

This is the place where you need hope most,

But there isn't any.

Young person, prison

Life inside 2010

A unique insight into the day to day experiences of 15-17 year old males in prison

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Foreword

Children and young people in trouble with the law are some of the most vulnerable in society. Their voices are seldom heard. When a youth justice policy debate takes place across the mirrored tables of Whitehall, or a tabloid excoriates hoodies for the umpteenth time, it is the voices of the young people themselves which are utterly absent.

At the Howard League for Penal Reform we aim to change this sorry state of affairs. We believe it is high time that politicians, civil servants, journalists and the public as a whole listened to the voices of children and young people in trouble with the law. Not only do they have an absolute right to be heard but we believe that it is the children and young people themselves who are best placed to tell us what works and what doesn't. How can we find lasting solutions to crime and help young people make the most of their lives?

This is the first policy report to be produced as part of the Howard League's exciting U R Boss project, funded by BIG and running for five years. Combining our unique legal work with young people in custody and a national participation programme, we intend to campaign for policy change, transform public attitudes to young people in trouble with the law and give children and young people opportunities to come up with new ideas and new ways of working.

The message that came loud and clear from the young people we have spoken to was that the first report should set the scene by describing the day to day conditions of life inside for the majority of children in custody. To that end, this report focuses on the largest proportion of children in custody, those boys aged between 15 and 17 who are housed in prisons.

We can see from what the young people told us that prison is wholly inappropriate for children. Much of what the young people said emphasises the fact that if custody has to be used at all for children then it should involve small, local secure units and not large adult prisons in all but name.

What should cause deep concern is that the myriad failings of child prisons described in this report are all present before we enter the new era of swingeing cuts to public spending. Given that over three quarters of children reoffend on leaving custody already, cuts to prison regime - be it access to education, health services or simply time out of cell – can only result in even more children being failed by the system.

We can't let that happen. From the broader question of how child custody is used to particular points that young people have raised with us, such as the cost of making phone calls and the pressing need for a review of the food offered to children in prison, we shall take what we have heard from young people and lobby hard on the issues.

As I have already said, in many ways this report sets the scene for the work we are doing with the U R Boss project. Over the coming years we will be opening out our work with young people to find positive ways to support them and help them change their lives, ways which will have nothing to do with prison and which should consign the 'young offenders institution' to history.

Frances Crook

Director; The Howard League for Penal Reform

Executive summary

Introduction

This report was developed in conjunction with young people currently in custody and released into the community. Through a series of workshops and one to one work, young people identified the topic of this report, the issues they wanted discussed and key lessons for policy makers and practitioners.

Through the process we have developed **Life Inside 2010 – a unique insight into the day-to-day experiences of 15-17 year old males in prison.**

Despite the 22% reduction in the total number of young people in custody over the last three years, the same proportion of 15-17 year old males are still incarcerated in prisons that do not work: **the reduction in custody numbers has not been used as an opportunity to lower the percentage placed in the most basic form of custody. 75% of these young people reoffend within a year of their release.**

Children in custody come in the main from the most disadvantaged families and communities, whose lives are frequently characterised by social and economic deprivation, neglect and abuse. It is clear that children in custody are extremely vulnerable, yet they are locked away in prisons that, as is evidenced by the high reoffending rates, do not work. This report explains young men's experiences and opinions of key areas of prison life.

Key lessons

Arrival in custody

- Sweatboxes should not be used for children
- All transport should include seatbelts to ensure children's safety
- Automatic strip-searching on arrival to custody should end and be replaced with a system based on risk-assessment. Methods of searching children should respect the dignity of the child and be based on child-protection principles.
- Young people should be entitled to make free phone calls when they arrive in custody, to family members and professionals involved in their care
- Induction should include a tour of the secure environment
- The length and content of the induction process should be tailored to individual young people's needs

Daily living

- Young people need showers in their cells and their entitlement to a daily shower should never be restricted
- Large prison wings are harmful for young people and small units are the only appropriate form of custody
- Children receiving long sentences represent an increasing problem. While this sentencing trend continues, young people should be separated based on sentence length

- Young people should spend much less time in isolation in their cells
- Young people need increased and more purposeful activities during association and weekends
- Young people should be provided with a telephone in their cells
- All meals should be eaten communally

Staff

- The ratio of staff to young people in prisons is woefully inadequate compared to those in secure children's homes
- Staff should only work in secure environments with children if they have chosen to help those children
- Staff should be properly trained and qualified to work with children
- Staff should be more helpful, supportive and effective
- Staff working with young people in secure environments should not wear uniforms

Treatment and conditions

- There should be a clear policy, which is applied consistently, for all IEP schemes and adjudications and young people should be involved in the development of the policy
- Young people should always keep their higher IEP level if transferred
- Restraint should only ever be used as an absolutely last resort and should not be designed to inflict pain or as a punishment. The level of restraint should be proportionate
- Segregation should not be used as a punishment for children and should not mean isolation. Children who are separated should be allowed to participate in an active regime, which enables them to return to living units as quickly as possible
- Applications should be addressed within a set timeframe that is made clear to the young person
- Complaints should be dealt with by an independent body
- Food should be sufficient in quantity, quality and variety and conform to standards which ensure children are provided with a nutritionally balanced diet.
- There should be facilities and opportunities for young people to prepare their own food in prisons, linked to training and qualifications

Contact with the outside world

- Young people should be provided with a telephone in their cells
- All young people should be entitled to make phones calls to key family members and professionals regardless of their ability to pay for phone credit

- Young people should be placed closer to home so that visits are never restricted by distance or cost
- Visits are a right not a privilege. The number of visits a young person is entitled to should not be linked to a scheme of punishment and rewards
- Families should be supported to keep in touch and make visits
- The delivery of letters to young people should not be delayed

Learning and skills

- A full, busy and purposeful learning and skills timetable should be provided
- Individual lessons should be shorter
- Learning and skills provision should be consistent between prisons
- The quality of vocational and skill training should be improved
- Young people should be allocated to learning and skills options which meets their needs and will improve resettlement opportunities on release
- Teachers and courses should push young people's abilities and motivate them to learn
- Reduce the amount of temporary teachers
- Individual support should be available for young people

Sentence planning

- Young people should be central to the decision making process in boards
- Resettlement issues should be discussed and addressed from the first board and throughout the sentence planning process
- Decisions made at boards should be carried out

1. Introduction

'Before I came into the justice system I didn't really care about it. Now I'm in it some bits are ok, but most of it is disgraceful and people have no idea.'

'Prison doesn't do anything for you. They just hold you, feed you and give you somewhere to sleep.'

'I just want people to understand what we're going through.'

The Howard League for Penal Reform

The Howard League for Penal Reform is the oldest penal reform charity in the world and campaigns for less crime, safer communities and fewer people in prison.

The Howard League for Penal Reform has a successful policy and public affairs team, which campaigns for change through its parliamentary work, research, policy work, events and media engagement. In 2002 the Howard League launched the only dedicated legal service for young people in custody in England and Wales. They provide free, independent and confidential advice and representation on a wide range of issues to young people. They are proud to provide a holistic and child-centred approach to each client, and the expertise and achievements they have gained as a result. In 2007 this service was extended with the launch of a young adult legal team, who represent young people up to the age of 21 in prisons.

U R Boss

In July 2009 the Howard League for Penal Reform launched U R Boss. Funded by the Big Lottery for five years, U R Boss is a ground-breaking youth justice project that provides a national programme of participation opportunities and support for young people in custody and those recently released into the community.

The ethos of the project is to work with young people to give them a voice.

The project is led by young people for young people and aims to:

- Campaign to change national and local policy and practice in the statutory and voluntary sectors working with children and young people
- Change public attitudes to children and young people in the penal system
- Come up with new ideas about children and young people in the penal system

This report was developed in conjunction with young people currently in custody and released into the community. Between November 2009 and May 2010 the U R Boss team worked in three prisons and with one youth offending team (YOT) with a total of 55 males aged between 15 and 18 years old. Through a series of workshops and one to one work, young people identified the topic of this report, the issues they wanted discussed and key lessons for policy makers and practitioners.

Through this process we have developed **Life Inside 2010 – a unique insight into the day-to-day experiences of 15-17 year old males in prison.**

Custodial places for children

Children are detained in three different types of secure establishment:

Secure children's homes (SCHs): these are small, local authority run units. They have the highest staff to child ratios in the children's secure estate and a focus on welfare and rehabilitation. Following a series of closures, there are now only 10 secure children's homes left in England and Wales, with a total of 191 places, which are contracted by the Youth Justice Board (YJB) to take children who the courts judge to require a secure placement.

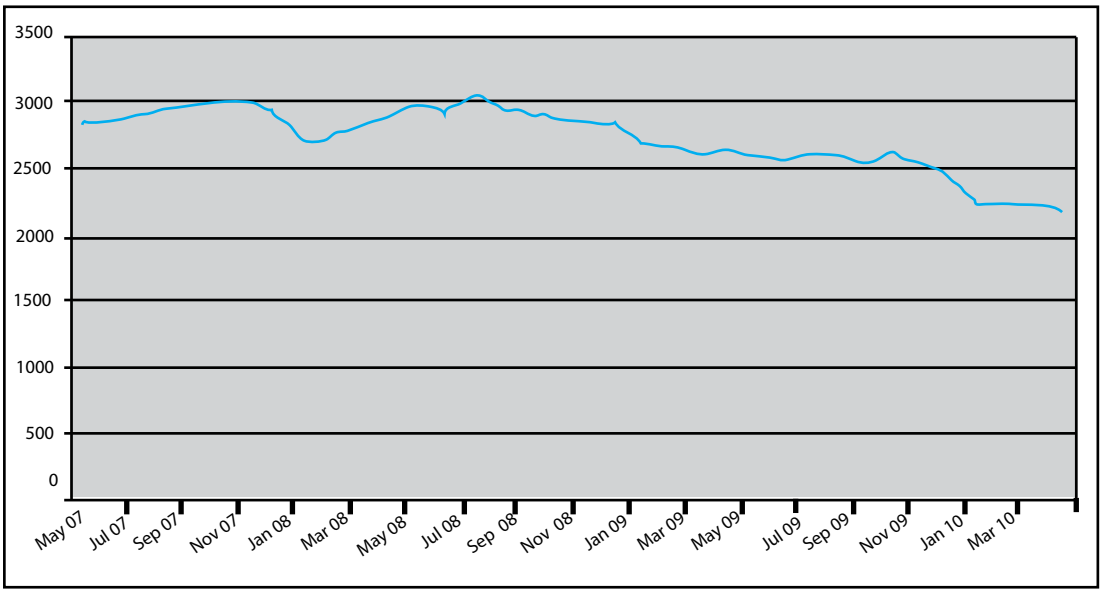
Secure training centres (STCs): these are run by private companies for profit. There are four secure training centres which provide places for 301 children.

Prisons, *referred to as Young Offender Institutions:* there are fourteen prisons in England and Wales that hold children. There are ten for males aged 15 to 17 and four discrete units for 17 year old young women on adult prison sites. Prisons have the lowest staff to child ratio in the children's secure estate. There are 2764 places for children in prisons. The majority of young people in custody are boys aged between 15 and 17: **75% of these young people reoffend within a year of their release** (Ministry of Justice, 2009). Life Inside 2010 focuses on this forgotten and neglected group of young people.

How many young people

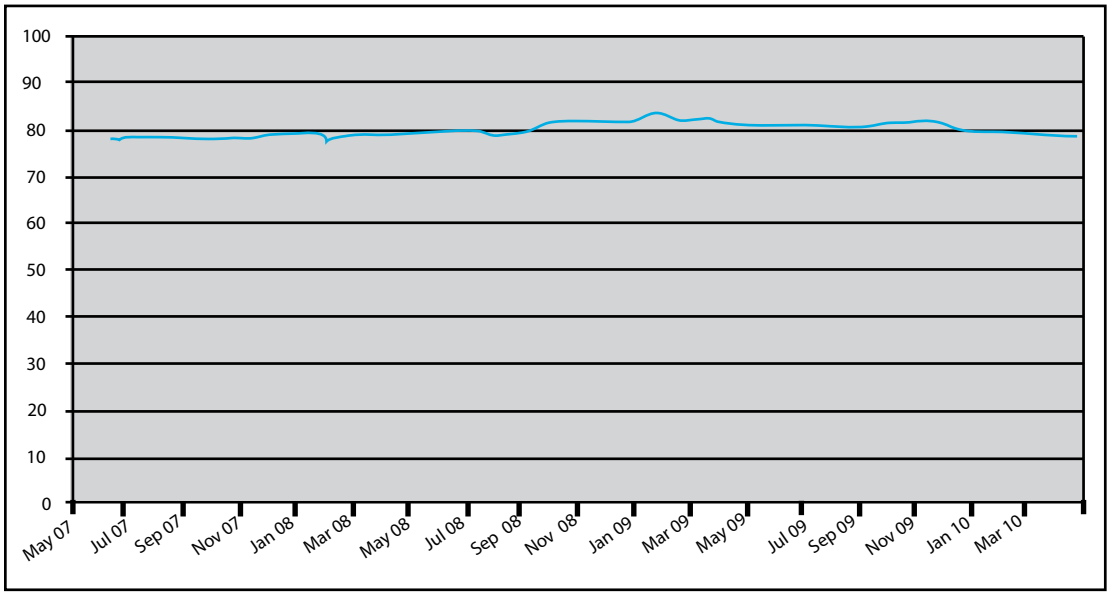
As shown in Figure 1, the total number of young people in custody in England and Wales has dropped by 22% in the last three years. Despite the reduction in numbers, the same proportion of 15-17 year old males are still incarcerated in prisons, as portrayed in Figure 2: **the reduction in custody numbers has not been used as an opportunity to lower the percentage placed in the most basic form of custody.** England and Wales still has one of the highest rates of child imprisonment in Western Europe and reoffending rates are not improving.

Figure 1: total number of young people in custody



Data provided by the Youth Justice Board

Figure 2: percentage of 15 to 17 year old males placed in prisons as a proportion of the total under 18 custodial population



Data provided by the Youth Justice Board

Regimes in prisons are designed around adult males, and children's prison regimes are slightly adapted to the needs of children serving short term sentences. However, the percentage of the children's custodial population serving long term sentences is steadily increasing, as are their sentence lengths. A Youth Justice Board (YJB) report found that 'young people serving long-term sentences have significantly different needs to those on a detention and training order (DTO)…Provision is patchy across the wider YOI estate, with no coherent policy in place for the management of long-termers. Most establishments hold these young people alongside shorter term offenders regardless of differences in need' (Youth Justice Board, 2008). Despite this report being commissioned in 2007, HM Chief Inspector of Prisons (HMCIP) has recently found 'that very few recommendations of the report have yet been implemented' (HMIP, 2010). Thus, prison regimes are becoming even less suitable for more and more young people as the proportion of children serving long term sentences increases.

Who are the children that we are locking up?

Children in custody come in the main from the most disadvantaged families and communities, whose lives are frequently characterised by social and economic deprivation, neglect and abuse:

- 50% have experienced time in care or substantial social services involvement (Nacro, 2003), compared to 3% of the general population (National Census, 2001)
- One in four boys report suffering violence at home, and one in 20 report having been sexually abused (YJB, 2007)
- 31% have a recognised mental health disorder (YJB, 2005) compared to 10% of the general population (ONS, 2005)

- 19% suffer from depression, 11% anxiety, 11% post-traumatic stress disorder and 5% psychotic symptoms (Chitsabesan et al, 2006)
- 15% have a statement of special educational needs (YJB, 2003)
- 88% of boys have been excluded from school (Tye, 2009)

It is clear that children in custody are extremely vulnerable, yet they are locked away in prisons that, as is evidenced by the high reoffending rates, do not work. This report explains young people's experiences and opinions of key areas of prison life.

2. Arrival in custody:

> 'My first night in custody was the worst night of my life. I'd never been lonely before. I felt so lonely.'

Transfer to prison

> 'I really hate travelling in those vans.'

All of the young people we spoke to had been transported to prison in secure transport vans, or 'sweatboxes' as they are commonly known. Young people explained that the reason they are nick-named 'sweatboxes' is because it reflects the conditions: they are in a cramped space, caged by wire; with heating always at extremes; they're dirty; and they '*stink*'.

Young people understood why they were transported securely to prison, but did not accept, as one young person put it, why they had to be transported '*like animals*'. There was a strong feeling unanimously amongst the young people we worked with that the conditions should be improved.

The lack of care for how these young people are transported was epitomised by the experience of one young person who, during a long journey in the sweatbox, had fallen asleep. He awoke when the sweatbox took a corner sharply and he smashed his head against the side of the van. This was because there were no seatbelts. He could not go on to discuss his experiences of his first night and induction with us because he could not remember them: '*the first few days were completely surreal. The only thing I remember is waking up with a headache each morning.*' Another young person was ill during the induction process because it was raining when he was transported to custody and the sweatbox had a leak above his head – he was transported wet, with the heating turned off in the middle of winter, for four hours. He was 16 years old.

For some young people, it was not the condition of the sweatboxes that was the most distressing aspect of the experience, but the uncertainty of what was happening to them.

A young person's experience of being transported to prison

One young person was held on remand in a secure children's home. When he appeared at court for sentencing, he was informed and assured by his youth offending team (YOT) worker that he was returning to the same secure unit. He was then transported to another court and swapped onto a different sweatbox. His YOT worker was not there and he did not know what was happening. He was then taken to a prison. He found out only when he stepped out of the van on his own. A recent survey found that 19% of young people in prison were not informed of where they were going in advance of their arrival (Tye, 2009)

Key lessons:

- Sweatboxes should not be used for children
- All transport should include seatbelts to ensure children's safety

Other young people reported maltreatment by the escort staff, most commonly around the refusal to stop for toilet-breaks, even when the journey was over four hours long. One young person reported that after his transfer between prisons, which took all day as they travelled around picking up other young people from prisons across the country, he arrived hungry because - despite making it know repeatedly that he was Muslim - he was refused any option of halal food and told to *'eat what you're given'.*

First nights

Young people's experiences of their first night was often affected by what time they had arrived at the prison. All young people should be assessed, offered the opportunity to make a phone call, given something to eat and allowed to take a shower (HMIP, 2010). Some young people told us that they had received all of these things, and many spoke of the benefits of supportive staff during their first night, which was mainly raised in the context of the contrast to their experiences of staff on the prison wings.

However, many of the young people we spoke to had arrived too late at the prison to receive anything they were entitled to, missing out on food, a shower, or even making a phone call to let their families know where they were. Other young people were frustrated by the amount of time it had taken to process them, and were left alone for hours with nothing to do as soon as they had arrived into custody.

'When you first get in there's always the strip-search'

Some young people, often those that had been in prison for longer, were resigned to being strip-searched as part of their prison routines. Others questioned the fairness and rationale behind all young people automatically being strip-searched on arrival into custody; many pointing out that this is a time when many young people are at their most vulnerable. HM Chief Inspector of Prisons has found that not only do young people continue routinely to be strip-searched on arrival, but that there are also examples of young people undergoing a strip-search while being restrained, even when they are considered at risk of self-harm (HMIP, 2010).

The specification of 'male units' in HMCIP's findings is crucial, because routine strip-searching of women, including seventeen year old young women, in prison service custody has been discontinued because it was recognised to cause unnecessary distress and failed to enhance security and been replaced by risk-assessed strip-searching. Young people who were aware of this disparity in treatment expressed strong feelings of injustice, and the majority of young people agreed that strip-searching should only occur when there is evidence that a young person has something concealed on them.

The practice of routine strip-searching directly contradicts the prison service specification that all prisons should 'ensure that each young person who is received into our custody is treated humanely so that their safety and dignity are safeguarded at all times' (PSI28/2009).

Key lessons:

- Automatic strip-searching on arrival to custody should end and be replaced with a system based on risk-assessment. Methods of searching children should respect the dignity of the child and be based on child-protection principles
- Young people should be entitled to make free phone calls when they arrive in custody, to family members and professionals involved in their care

Induction

The majority of young people we spoke to felt that a period of induction was a positive thing. However, this was not an opinion reflective of the information they received during induction, rather it was because it gave them time to adjust to prison life: *'being on the wings is when it first gets bad. Anyone on their first time in prison would really struggle if you put them straight onto a wing*'. One young person we spoke to underwent a deliberate physical adjustment to prison, taking the opportunity to have his long hair cut off. It was the only way he thought he could not stand out to try to prevent him from being bullied on the wing.

Young people reported that during induction they were provided with written information about different areas of prison life, underwent assessments, and met different members of staff. However, many felt that they did not take in much of the information as they were bombarded with too much at once. One group of young people we spoke to felt that the only way you learn the prison rules *'is when you get in trouble'.*

The few young people we met who had been walked around the prison as part of their induction felt that it was a much better way of helping them understand how the prison worked.

The over-riding response from young people speaking about their experiences of induction was that it was '*boring*'. Those who had experiences of being on 'bang-up' (segregation) said that the routine on induction was similar to that on 'bang-up'. This is despite the fact that prisons should provide an induction programme that ensures 'young people are fully and purposefully occupied' (PSI28/2009).

Some young people felt strongly that the rigid induction process did not take into account individual needs. Examples we encountered included young people who had been attending school or college prior to being in prison, particularly those who were taking GCSEs and wanting to continue with them, having to take taster sessions and wait weeks before being allowed to carry on with their qualifications. Other young people could not understand the information packs given to them because they could not read.

Key lessons:

- Induction should include a tour of the secure environment
- The length and content of the induction process should be tailored to individual young people's needs

3. Daily living

> 'All juvenile jails should be run the same. You get let down from one jail to the next.'

Research is consistent in showing that the ways in which daily routines of residential living are provided and delivered have the greatest impact on young people and also influence their responses to the more formal aspects of prison, such as education and offending behaviour work (Rose, 2009).

The prison environment

Young people spoke to us at length of the experiences of their daily routines in prison custody and the environment in which they were imprisoned. HMCIP concluded in her annual review (2010) that 'there had been some improvements to the condition of residential units in some establishments. However, the fundamental problem, in most places holding young men, was the size and design of establishments and units'.

Young people reported being held on wings that varied between having 16 to 60 cells. In some prisons, the cells had showers, in others there is a block of showers a wing. In some, we were told the cells were '*alright*', whereas in others, the cells were *'really dirty'*, '*grimy*' and most were '*very small*'. Many young people expressed frustration that they were not allowed regular access to cleaning materials to see to the upkeep of their personal space.

> 'The atmosphere in wings varies. The wings can be totally mellow or really tense and you're thinking there'll be a fight the whole time.'

Young people, particularly those that had experienced different prisons, or who had experience of secure children's homes, spoke of the benefits of having fewer people on the wings, explaining that fewer young people housed together creates a calmer atmosphere.

Young people spoke to us about issues of not having a shower in the cell. Some reported that they were not allowed to take a shower every day. This was often attributed to their not being enough staff on the wing on particular days; others gave examples of where staff had stopped young people showering as an informal punishment. Some young people expressed frustration that they had to take showers during their association time, which not only ate into their only free time, but, on the larger wings, they reported that there were not enough showers and time for all the young people to use them.

> 'Staff stop people from showering as a punishment.'

Key lesson:

- Young people need showers in their cells and their entitlement to a daily shower should never be restricted

Despite questioning inconsistencies of the environment of prisons, there was one consistency that many young people raised concern about: that everyone, whether on remand, a short sentence or a long sentence, were all put together and made to experience the same regime. One young person, serving a long term sentence, spoke of the frustration he experiences every time he sees someone in the cells around his own leaving prison. Many young people felt that they should be separated according to the length of their sentence.

The YJB's own research on young people serving long term sentences substantiates young people's concerns and recommendations. It found that 'young people serving long-term sentences have significantly different needs to those on a detention and training order (DTO)…Provision is patchy across the wider YOI estate, with no coherent policy in place for the management of long-termers. Most establishments hold these young people alongside shorter term offenders regardless of difference in need' (YJB, 2008). Despite this finding beings published over two years ago there is still only limited discrete provision for young people serving long term sentences.

Key lessons:

- Large prison wings are harmful for young people and small units are the only appropriate form of custody
- Children receiving long sentences represent an increasing problem. While this sentencing trend continues, young people should be separated based on sentence length

Daily routine

The daily routines of the young men we spoke with varied both between prisons, and within individual prisons. However, there was a standard pattern, epitomised in the example of one young person's routine, set out below.

A young person's typical weekday routine in prison

7.30	Woken up by a prison officer banging on the cell door
8.00	Pick up breakfast and locked in cell to eat
9.00-11.30	Education
11.30-12.00	Lunch on the wing
12.00-1.30	Locked in cell
1.30-4.00	Education
4.00	Pick up tea and locked in cell to eat
4.10-6.30	Locked in cell
6.30-7.30	Association
7.30	Locked in cell

Young people reported variations in the amount of time that they were allowed out of their cells each day. Despite there being a target in place that prisons should allow a minimum of 10 hours out of cell a day, very few young people we met said they were allowed out of their cells for this long. Many complained of the long

periods of boredom and the effects they had experienced of isolation and having too much time to think: *'everyone works themselves up. When we're finally let out of our pads people are ready to kick off.'*

Prisons were recently branded a 'disgrace' for not meeting time out of cell targets, following the revelation that across all prisons young people spent an average of 9 hours 24 minutes out of cells, dropping as low as 7 hours and 42 minutes in one prison. This compares to an average of 13 hours and 18 minutes in secure children's homes. (Puffett, 2010a)

Young people reported that the amount of time they are allowed out of their cells plummets at weekends, over bank holidays and at Christmas: many said that they had as little as one hour a day out of their cells.

A lot of young people complained about having to eat their meals in their cells. Some young people, who had been in secure children's homes, compared this to sitting together mixed with staff at the dining tables: '*you learn to do what normal people do on the out'.*

Key lessons:

- Young people should spend much less time in isolation in their cells
- Young people need increased and more purposeful activities during association and weekends

How long young people get for association and the activities they were allowed to participate in during association and in their cells is linked to young people's Incentives and Earned Privileges (IEP) level. In general young people felt that there was '*nothing much to do*' and one young person commented that without any productive activities available association becomes *'just a place for fighting and dodgy deals to happen'.*

Some young people felt it was unfair that the only time they were allowed to use the phones was during association. Many young people felt that it was a right to call their families and it should be allocated to a separate time. One young person went into detail of the problems he felt this caused: *'with only two phones for a wing of sixty young people, in an hour of association, there is just not enough time for everyone to use them. It causes bullying. The more vulnerable young lads cannot make calls or are made to cut their calls short.'*

Key lessons:

- Young people should be provided with a telephone in their cells
- All meals should be eaten communally

4. Staff

> 'Staff should realise that this (just being here) is our punishment. They don't need to treat us like idiots'

Differing perspectives

Every group of young people we spoke to broadly separated staff within prisons into two groups: uniformed staff, who were primarily prison officers and governors; and non-uniformed staff, such as social workers, caseworkers and teachers. On the whole they saw uniformed staff as there to control them and non-uniformed staff as there to help them.

Prison officers have the most day-to-day engagement with prisoners and have a hugely important role in working with young people and reducing reoffending (Howard League, 2009). Some young people spoke positively about individual prison officers and the benefits that this had on their behaviour and lives. Young people were also often pragmatic about the most they could expect out of staff, many commenting that '***everyone has a bad day***'. On the whole, however, young people reported negative experiences of uniformed staff on the landings.

Some young people reported being taunted by staff. One young person explained how a prison officer consistently ate food in front of his cell door in an attempt to wind him up. Other young people said that prison officers often made comments to them as they were leaving at the end of their shift about how they were going to the pub, going to have a cigarette or telling them their plans for their time off, in an attempt to taunt them.

Young people spoke of a lack of consistency of how prison officers treat them: '***there's one rule for one person, one rule for another'***. One young person spoke about how he wanted to behave and be respectful of the staff, but it is not possible due to the aggressive and confrontational nature of particular prison officers. '***When you're aggressive to staff you get a response. They see being nice as a sign of weakness'.***

> 'I can talk to them but they don't listen'

It would be wrong merely to blame individual members of staff for poor relationships with the young people in their care, as the young people we spoke to made it clear that there was a more systematic problem that both staff and young people faced. Many attributed not having good relations with staff simply because of the low staff ratios, being as low as three officers to a wing of 60 young people.

Some young people, particularly those who had been in secure children's homes, where there are much higher staff ratios to young people (Hansard, 14 January 2010), felt that this was the main issue that needed to be addressed in prisons. One young person spoke in depth about how the higher staff ratios in a secure children's home had allowed him to get to know staff, trust them, do one to one work with him, and helped him to behave. Then he had been transferred to prison. Research substantiates the claims that young people made that lower staff ratios affect young people's behaviour, as it leads to an over-emphasis on regime security and greater use of punitive sanctions (Howell, 2003).

Key lesson:

- The ratio of staff to young people in prisons is woefully inadequate compared to those in secure children's homes

Evidence also substantiates the young people's feelings that in prisons, prison officers are there for control and not care.

'While it is not uncommon to have a ratio of four staff to eight young people in a SCH, on a prison 'wing' there may be four staff to look after up to 80 young people. This is not just about numbers but reflects a quite different understanding about the role of staff in terms of their expected relationship to the young people' (Rose, 2009).

'If they're not doing their job they shouldn't get paid'

Young people also spoke of how many prison officers, in comparison to 'non-uniform staff' such as social workers, do not apply for the job because they want to help young people rather they did it for the '*power*' and '*money*', and that they '*don't know how to get along with us'.*

Despite the required outcome of staff recruitment into the prison service being 'to ensure that people are recruited to work with young people under 17 have the skills, experience, motivation and competences to do so' (PSI28/2009), those applying to the prison service do not necessarily apply to work with young people, although they may later choose to do so. Staff in prison who have contact with young people undergo basic JASP (Juvenile Awareness Skills Programme) on top of the standard prison training. However, this does not have to be undertaken prior to staff being appointed and only in one prison has all relevant staff been JASP trained (HMIP, 2010).

Key lessons:

- Staff should only work in secure environments with children if they have chosen to help those children
- Staff should be properly trained and qualified to work with children
- Staff should be more helpful, supportive and effective

One young person spoke about how he felt that the biggest barrier between prison officers and young people, as opposed to the non-uniformed staff, were the uniforms themselves. He explained that in the same way that gangs use clothes to represent part of belonging to a group and who was included and excluded, uniforms segregated the prison. He felt that uniforms were a representation of power and control, whereas those who did not wear uniforms were more personable, because *'you can see some of them as a person through their clothes'.*

Key lesson:

- Staff working with young people in secure environments should not wear uniforms

5. Treatment and conditions

'Some of the treatment experienced by children in prisons would, in any other setting, be considered abusive and trigger a child protection investigation.' (Howard League, 2006)

Prison culture

> 'The environment in prisons doesn't make you want to achieve anything – call it gang culture if you want. Everything's about violence. Prisons only deter you by scaring you. The violence is unbelievable.'

Some young people told us that violence and bullying were endemic within prisons. Young people who had experienced different prisons said the levels of bullying varied, but whichever prison you were in, it was always worse than the levels of violence and bullying in secure children's homes.

One young person spoke of the knock-on effects of bullying, where those that were being bullied would in turn bully the most vulnerable young people.

Some young people spoke of divides within prisons: along divisions of race; religion; gangs; and home areas. Other said that the divisions were not necessarily linked to anything tangible, but young people still divided into large groups.

One young person we met had experienced many prisons and had finished serving his custodial sentence. When asked, in hindsight, how he felt these divides could be addressed he responded that this culture was so embedded that he was resigned to thinking that ***'it's just part of prison life, you can't do anything about it'.***

Punishment and rewards

Children's prisons are required to run an Incentive and Earned Privileges (IEP) scheme that offers 'realistic and motivating incentives which nurtures and rewards good behaviour' (PSI28/2009).

> 'IEP doesn't work – it doesn't motivate young people.'

Young people we spoke to were aware of the IEP scheme in prisons and knew what level they were on. Although the names of the levels varies between prisons, they were typically 'gold', 'silver', and 'bronze' and young people could move up, and down, between the levels.

> 'The rules on what you can get a red entry/basic warning for change. They just make them up.'

Some young people felt that a problem with the IEP scheme was the lack of consistency in how it was applied. One young person who had transferred between numerous prisons told us that he sometimes got to keep his IEP level when he moved, but in other prisons he was automatically downgraded to a 'standard' level: the only explanation he was given for this was that ***'it's procedure'***. Others were frustrated about how young people were treated differently, particularly during adjudications, and many thought the outcome depended more on which member of staff took the adjudication than a set policy.

A handful of young people we met struggled to progress up the IEP system because they did not understand how it worked. '*I was one day away from gold and then got a basic warning over room cleaning and was kept on silver – I didn't know that could happen'.*

One young person's experience of the adjudication process

A young person who could not speak English and had learning difficulties was not given access to interpreters in prison. He did not understand what was going on around him, could not engage in education and even had to make meal choices without understanding what he was choosing. He faced adjudications for not following orders he could not understand – interpreters were not provided in these adjudications so he did not know what was happening. He became depressed and started self harming.

This young person's case was taken on by the Howard League's Children's Legal Team, who are part funded by U R Boss to provide an enhanced legal service for children in custody

Young people also thought that it was far harder to progress up the incentives scheme than it was to be downgraded on it: ***'it takes a long time to get on gold and they find the simplest thing to put you on a basic'.*** Although some young people gave examples of where they felt it was fair that they were downgraded, others felt that many reasons for losing points or going down a level were petty or because staff were using the system to victimise them. Examples young people gave included '*swearing*' or '*even taking too long to do something*.'

A key principle of rewards and sanctions systems is that encouraging good behaviour may reduce the need for more formal disciplinary or criminal justice sanctions (YJB, 2002). Given what young people have told us about the effectiveness of current IEP systems, it would indicate that there will be a higher number of more punitive disciplinary measures needed to make up for their failings.

Key lessons:

- There should be a clear policy, which is applied consistently, for all IEP schemes and adjudications and young people should be involved in the development of the policy
- Young people should always keep their higher IEP level if transferred

Restraint

> 'Loads of them come on you in full riot gear and beat the shit out of you'

'A low ratio of staff to young people inevitably affects the capacity of staff to engage in building relationships, take time to de-escalate potentially violent episodes and reflect upon their responses. We believe that all of these practices are essential requirements in reducing restraint across the estate.' (Independent Review of Restraint, 2008)

'Behaviour management, and the balance between care and control, remains a live issue. The independent review of restraint made 58 recommendations. Among them were that all units should ensure that use of restraint is placed within an overall behaviour management strategy and that every establishment should publish and

report against a restraint reduction strategy' (HMIP, 2010). However, it has recently been exposed that few prisons have a restraint minimisation strategy in place, despite the YJB setting a deadline of March 2010 for their development (Puffett, 2010b).

Despite that prisons may only use force as a last resort 29% of young people in prisons said that they had been physically restrained, which is higher than the percentage of previous years (Tye, 2009).

The main complaint made by young people we spoke to who had experienced restraint was that it was disproportionate. One young person explained that *'it doesn't happen that often, but when it does staff over-react*'. Another young person described being restrained as *'loads of them come on you in full riot gear and beat the shit out of you'.*

One young person had experienced being restrained on numerous occasions, to the point that he had become accustomed to being physically abused in this way. However, he felt that the techniques used by staff were increasingly violent: '*at first, when I got twist up [restrained] it used to hurt. Then I got used to it. But now they cuff you and that really hurts.'*

Key lesson:

- Restraint should only ever be used as an absolutely last resort and should not be designed to inflict pain or as a punishment. The level of restraint should be proportionate

Segregation

'All segregation units in the male estate have been rebadged as 'care and separation', 'reorientation' or 'intensive supervision' units. However, they continue to operate as traditional segregation units, with the emphasis on separation rather than care.' (HMIP, 2010)

We met young people who had been on segregation for periods spanning from one day to months, and for varying reasons.

A young person in prison segregation

A young person with mental health problems was transferred from hospital to prison because the hospital could not manage his behaviour. Medics were clear that he needed to be in hospital but he spent over four months in prison while agencies argued over placements and funding. For most of this time he was kept in the segregation unit at the prison, causing considerable concern about the impact that this may have in exacerbating his mental health problems.

This young person's case was taken on by the Howard League's Children's Legal Team, who are part funded by U R Boss to provide an enhanced legal service for children in custody

Young people who had been segregated described the restricted regime they experienced: *'on the block you just have a mattress on a concrete slab', 'no education, no canteen, no tv, no association', 'you just get one hour a day outdoors on your own'*. Some of those who had been on segregation felt that boredom and isolation were the hardest things about the punishment. One young person had only been given word puzzles to keep himself occupied, despite the fact that he could not read or write.

One young person felt strongly that segregation exacerbated poor behaviour due to the effects of prolonged periods of isolation and boredom. '*It's mentally draining. It does*

more harm than good because you get use to it and don't mind going back. Young people come out more violent, you can tell what it's done to them.'

Other young people felt that the length of time they were kept on segregation was disproportionate and it took too much time to progress back to the main wings. Many felt that this is because staff did not speak to or interact with them whilst they were on segregation. Given this lack of interaction, young people could not understand how staff properly assessed their progress:

> 'I understand that the block's a punishment. But they review you and don't let you go even when you get good order. And anyway, how can they review you when you're in your cell all day and they don't even talk to you.'

> '[To prevent you getting off segregation] all they have to say is that your attitude isn't changing, but they don't even speak to you.'

Key lesson:

- Segregation should not be used as a punishment for children and should not mean isolation. Children who are separated should be allowed to participate in an active regime, which enables them to return to living units as quickly as possible

Applications and complaints

> 'Here you've got to ask for every little thing, you can't do anything without asking someone.'

Young people have to put in written applications for a wide variety of things; examples we were given spanned from visiting the doctor to asking for a new pair of trainers. Despite prisons having to reply to applications within a given time-scale (PS02510), young people repeatedly complained about the length of time it takes for them to get a response. One young person we worked with could barely read the papers we had brought with us because, despite putting in an application, he had been waiting weeks to get his glasses from the optician.

One young person felt that the processes for applications in a secure children's home, where they simply ask a member of staff, was better because it saved on time and you could trust the staff to get it done. However, he did not feel that this process could work in prisons because the staff ratios are too low for you to build up a relationship with them, so young people would not be able to trust them to deal with their applications.

Young people had similar concerns about the length of time it took to respond to written complaints. In addition, some young people had received inappropriate responses:

'I once put a complaint in about a senior officer. The same senior officer wrote back saying 'I thought my actions were reasonably justified'. The complaint was about him… I'd had trouble with him before. He gave me a dirty look… he pushed me in my cell and pushed the door closed. The same senior officer who I complained about shouldn't have written back – someone else should have seen it.'

Key lessons:

- Applications should be addressed within a set timeframe that is made clear to the young person
- Complaints should be dealt with by an independent body

Food

> "The government are always telling us to eat healthy, get our 5 a day, but the quality of the food in here is really, really bad"

In prisons as little as £2.48 is spent on food a day for each young person (Hansard, 1 February 2010). Unsurprisingly, food is an important issue for young people. Young people complained about the amount, variety and quality of food.

Many young people told us that they were served the same food each day, particularly rice; bread was stale; food was cold; there were not enough multicultural options; and they did not get enough hot meals.

Young people told us that they could make up for the lack of fruit and fresh vegetables provided with meals by buying bags of fruit out of their 'spends'. However, one young person explained that this encouraged bullying, as more vulnerable young people were forced to hand over fruit or intimidated into not buying it.

Young people told us that they were frequently hungry, and some commented that it affected young people's concentration and behaviour. In acknowledgement of the issue, in one prison the governor had introduced muffin breaks half way through the morning to improve young people's behaviour and engagement in education, out of savings in the prison budget.

Key lessons:

- Food should be sufficient in quantity, quality and variety and conform to standards which ensure children are provided with a nutritionally balanced diet
- There should be facilities and opportunities for young people to prepare their own food in prisons, linked to training and qualifications

6. Contact with the outside world

Having positive family relationships can have the greatest influence on children's sense of well-being and resilience (The Children's Society, 2010).

> 'They shouldn't use family as a game.'

Phone calls

The issue around making phone calls was the topic that the young people spoke about most frequently and passionately. It was also the area where they expressed an innate sense of unfairness as they said contact with people they cared about was restricted.

> 'I just wanted to ring my Mum.'

The problems for many young people began during induction. Young people who had arrived in custody without any money had been allowed a free phone call (PSI28/2009) , but then had to wait up to three weeks to make another call. This was attributed to having to wait up to this amount of time for money to be posted and processed by the prison and/or because prison processes meant that numbers requested took so long to approve.

On the whole, young people on the main wings felt that it was easy to get access to phones, but that they were too restricted by money and time. Young people complained of the huge premium that is charged on phone calls from prison. The exact charges for phone calls in prisons are not publicly available, but young people reported that they were being charged around 65p per minute. In addition, international and mobile phone calls were charged at a higher premium and making calls outside the immediate area to landlines were charged at a national rather than regional rate. Ironically, this meant that it was more expensive for young people placed in prisons further away from home to keep in touch with people. Over 40% of young people in prisons are incarcerated over 50 miles away from their home (Hansard 7 January 2010). The amount of money that the young people had to spend on phone credit often depended on how much their families could afford to send in. This led to situations where young people could only afford to buy phone credit, or where young people who did not have anyone on the outside to send them money were disadvantaged.

Young people reported that after 10 minutes you get the 'beeps' and then the phone call would be cut off. They explained that they had been told this was so that more people could use the phones. However, many pointed out that this would be simply solved by installing more phones. Young people mentioned other anomalies, such as if they make a call and it goes to voicemail, it still counts as your phone call and you have to leave the queue.

Young people reported that legal phone calls were free and in private, but whether they could make them depended on there being enough staff for someone to escort them through the prison to use a designated phone.

Young people told us that helpline phones, which should be a confidential service, such as Childline and Samaritan's, were available. However, they had to make a request to a member of staff to use them and then have the portable phone brought to their cell, which other young people could see.

Key lessons:

- Young people should be provided with a telephone in their cells
- All young people should be entitled to make phones calls to key family members and professionals regardless of their ability to pay for phone credit

Visits

> 'They're hard – you see your family and then they walk out of the door'

Young people are entitled to two visits every four weeks (PSO0101). Young people told us that additional visits are linked to the IEP scheme, and, depending on the prison, if you are on the highest level you can get up to five visits a month. Many young people felt extremely angry that visits should be linked to behaviour in any way, believing that it should be a right not a privilege to see their families regularly.

> 'I'm entitled to five visits a month, but I only get two because my Mum lives so far away'

We met many young people who either did not use their full entitlement of visits or did not have any visits at all, simply because they were placed in a prison too far away from home.

Other young people chose not to have any visits, as they found the experience of their families leaving afterwards too distressing.

Young people reported that the visit areas were often '***cramped***' and '***loud***', to the point that some young people opted to take shorter visiting slots, which were reported to be quieter, preparing to sacrifice extra time with their families for additional privacy.

Key lessons:

- Young people should be placed closer to home so that visits are never restricted by distance or cost
- Visits are a right not a privilege. The number of visits a young person is entitled to should not be linked to a scheme of punishment and rewards
- Families should be supported to keep in touch and make visits

Letters

Many young people felt that letters were an important way of keeping in touch with people, but were frustrated by the amount of time it takes for letters to be processed through the prison – in some cases up to three weeks. Not only did this affect the frequency of contact young people could have, it also meant that money sent in for phone credit was delayed; in turn further limiting their contact with people.

Key lesson:

- The delivery of letters to young people should not be delayed

7. Learning and skills

'I reckon education is just to get you out of your cell'

'A significant barrier to changing the behaviour and expectations of children and young people of all ages who offend or who are likely to offend was the lack if access to education, training and employment and, in particular, the lack of appropriate provision.' (Ofsted, 2010)

Young people, on the whole, felt that engaging in learning and skills whilst they were inside could be positive, partly because it got them out of their cells and interacting with other young people, and partly because *'you get qualifications'* or '*learn a trade'.*

An education

The majority of young people we worked with were engaged in some form of education in prison and some young people had positive experiences.

We met one young person who had learnt how to read and write whilst serving his detention and training order. We also met another young person who had not been in formal education for over five years, yet had achieved his Level 1 certificate in maths – the first certificate he had received since he was 12 years old. We also spoke with young people who were working towards vocational qualifications, such as bricklaying and painting and decorating, which they felt would help them get jobs once they were released.

However, young people pointed out major flaws in learning and skills in prisons that prevented it from being suitable or useful for the majority of young people:

- Vocational workshops –not enough places and there was not enough variety. Young people thought that there should be more construction, motor mechanics and painting and decorating courses in particular
- Allocations – many young people thought that they were not allocated to suitable courses, and consequently felt that there was little point in doing them as it was not going to be applicable or help them when they were released. One young person had passed his GCSEs and was on a gas fitting course in the community. He put in an application to do any form of vocational training in prison. However, because there were not enough places he was made to go to GCSE classes and resit work he had previously done
- Length of lessons – a lot of young people, particularly those who had not been engaged in education in the community, felt that being forced to go straight into a full time education timetable was too big a leap and because it was hard to concentrate for one or two hours at a time sitting in a classroom, led to behavioural problems and '*kick-offs*'
- Standard of education – some young people felt that education *'is really poor in prisons'*, especially compared to their experiences in secure children's homes. Many young people felt demotivated because the work was slow-paced and too easy: '*maths was way too easy, I flew through it'.* One young person said that '*all they do is pull out bits of paper and make people copy them*'

- High staff turnover – although young people commented positively on individual teachers, some young people said that there was a high turnover of staff and a lot of temporary teachers. One young person elaborated on this further, saying that he felt this prevented him from gaining what he could in education because he did not have the opportunity to build up relationships and trust with his teachers

- Lack of consistency between prisons – young people who had been in different prisons observed that they all run education differently. They felt that this was unfair because what opportunities you were offered depended on where you were locked up rather than being about what they needed. In addition, young people who had been transferred between prisons said that this had disrupted courses they were doing and set them back

- Sentence lengths - a lot of young people who were serving long sentences felt that there was little point in engaging in education. This was partly because they were not going to be released to the community for many years. *'At the end of the day, there's no point. What's the point of doing education or whatever if you're not going anywhere any time soon?'* They also said that because there were so many young people serving short term sentences, education was designed around them and those on long term sentences often kept repeating the same courses. This mirrors the findings of the YJB's review of young people serving long term sentences: 'In many establishments education is geared towards short term courses delivered in a rolling fashion. This is clearly not appropriate for long termers' (YJB, 2008). As demonstrated on page 8 the number of young people serving long term sentences is increasing. Thus, the current learning and skills arrangements are becoming less suitable for more young people

- Lack of individual support - some young people felt that there should be more help for people who cannot read and write, more help for people who cannot speak English and more one-to-one lessons for people who need it

Many young people were resentful that they were forced to attend education, particularly those aged over 16, who felt it was unjust because they were above the compulsory school leaving age and they should be treated the same as young people in the community.

As well as these specific issues, young people informed us that education in prisons had worsened in recent months. Young people who had been in prisons for longer periods of time told us that hours and some provision of education had been cut: *'before we used to get 25 hours of education, but now because of budget cuts we just get 15.'*

Learning and skills arrangements in children's prisons

Learning and skills arrangements are undergoing a long-term process of change as responsibility for education in children's prisons is transferred from the Learning and Skills Council to individual local authorities. In August 2009 new learning and skills arrangements were introduced into children's prisons, under which all young people should receive a minimum of 25 hours a week of learning and skill and constructive activity: 15 hours is delivered by the contracted education provider and 10 hours is

provided by the individual prison. In April 2010 responsibility was transferred from the LSC to the Young People's Learning Agency – a body created to support local authorities through the process, before they assume responsibility for learning and skills in September 2010.

Due to the issues surrounding learning and skills in prisons, many of the young people we spoke to did not believe that they would carry on with the education they were undertaking in custody upon release into the community. This is of particular concern given that the Audit Commission (2004) conducted a study which showed that no child who went into a full time education place immediately on release from custody was reconvicted, compared to one third of those who did not have any education provision on release.

Key lessons:

- A full, busy and purposeful learning and skills timetable should be provided
- Individual lessons should be shorter
- Learning and skills provision should be consistent between prisons
- The quality of vocational and skill training should be improved
- Young people should be allocated to learning and skills options which meet their needs and will improve resettlement opportunities on release
- Teachers and courses should push young people's abilities and motivate them to learn
- Reduce the amount of temporary teachers
- Individual support should be available for young people

8. Sentence planning

'Usually a bunch of people arguing over things they can't control'

All young people we spoke to had regular sentence planning meetings, or 'boards' as they are commonly known. They informed us that in boards they '*plan your targets, and what you're gonna do during your sentence', 'talk about if you have any problems*' and '*talk about what you're gonna do when you get out'.*

Barriers and confusion

Young people told us that different people attended their boards depending on which prison they were in, if they had any specific issues, or if people made the effort to attend. Staff that regularly attended were someone from the wing (who was not necessarily their personal officer), their youth offending team (YOT) worker, caseworker and someone from education. Depending on the individual circumstances of young people, and the availability of staff, a social worker, member of healthcare or Information Advice and Guidance (IAG) worker also attended.

Some young people thought that their boards were less effective because people were inconsistent in their attendance. One young person told us that *'I don't even know the names of the people at my meetings'*. Another young person was confused by two YOT workers who took turns attending his boards and contradicted each other. He was still in custody when we met him following his early release refusal for the sole reason that an accommodation placement in the community had not been found for him.

Young people raised practical barriers that prevented their parents from attending their sentence planning meetings. For the majority it was because they were imprisoned too far away from home for their families to attend. One young person said that his Mum wanted to attend, but they arranged the meetings at the last minute, which meant that she could not book the time off work.

Young people had mixed feelings about the targets they were set in their boards. Whereas some young people (notably those conscious that their progress would be taken into account when assessed for parole) felt that it helped get them into classes and offending behaviour courses, others felt that targets are '*pointless', 'pretty basic and would do them anyway, for example 'behave well'.* One young person complained that his targets were completely inappropriate for him: '*they put bricklaying on my targets but I don't even want to do it'*. In a thematic review of sentence planning HMIP (2010) found that 'in nearly half of YOIs training planning targets did not respond appropriately to individual needs. They were too frequently generic and followed a standard format across an establishment.' Some young people expressed frustration that what is discussed and planned for in the board does not transpire once they are over. One young person felt that '*there's a lot of focus in the board, but when it's over no-one does anything'.*

A few young people did not understand what was going on in their boards: *'everyone's just there talking about you, it's quite confusing'*. Young people felt that they should be more involved in their boards and deciding what their targets should be. They thought that this would ensure that they could make the most of their time in custody and help them keep out of trouble when they were released. In prisons 70% of young people want to stop reoffending, but only 37% feel that they have done anything in prison that would make them less likely to offend in future (Tye, 2009).

Key lessons:

- Young people should be central to the decision making process in boards
- Resettlement issues should be discussed and addressed from the first board and throughout the sentence planning process
- Decisions made at boards should be carried out

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